

REMARKS

Claims 1 - 8 and 13 are now in the application. Of these, Claims 1, 6 and 13 are independent claims. Claims 2 - 5 depend from Claim 1 and Claims 7 and 8 depend from Claim 6.

Applicants note with appreciation the indication by the Examiner that Claim 11 would be allowable if rewritten in independent form. Claim 13 recites structure set forth in Claim 11 in combination with the structure of former parent Claim 9. Claim 13 recites that the mud flap securement bolt has a bolt head exerting compressive forces on the mud flap support clip and operable to resist pulling of the mud flap securement bolt away from the mud flap support clip. This language differs slightly from that of Claim 11 which recited that the bolt head frictionally engages the flap support clip. It is believed that the revised language still clearly patentably defines over the art of record.

Claim 1 has been substantially amended to recite applicants' invention with greater clarity and to more clearly patentably define over the art of record. Claim 1 (currently amended) recites a combination of structural elements not taught or suggested by the art of record, whether taken alone or in combination. Furthermore, the claim is believed to clearly satisfy the requirements of 35 U.S.C. 112.

Claim 1 now recites that the clip segments have bifurcated end portions with distal ends forming slots open at lower ends thereof and extending upwardly from the distal ends.

The recited clip segments are described as being disposed side-by-side, defining a space therebetween in communication with the slots for receiving a top portion of the mud flap and the clip segments disposed on opposite sides of the top portion and with the at least one flap securement member positioned in the slots thereof at a predetermined location and extending between and through the bifurcated end portions across the space.

The slots are defined as being of variable width and narrowing below the predetermined location, with the bifurcated end portions forming detents below the predetermined location for frictionally engaging and supporting the at least one flap securement member extending across the space between the clip segments.

The claim also states that the bifurcated end portions are flexible whereby a downward pulling force supplied to the mud flap will cause flexing of the bifurcated end portions by the at least one flap securement member and release of the mud flap in its entirety from the mud flap holder assembly and passage of the at least one flap securement member out of the space and out of the slots through the openings at the bottom ends of the slots.

The features indicated above are not taught by the art of record, including the patents relied upon in the Office Action - Miller and Moore, et al.

Miller discloses flaps of two portion construction, the lower portion of the flap being releasable from the top portion of the flap when a downward force is applied thereto. The top portion of the flap always remains in position on the vehicle.

That is, the mud flap is not removed in its entirety. Moreover, there is no suggestion whatsoever in Miller of the clip structure now set forth in Claim 1 which is suitable for releasably supporting a flap securement member and flap and enabling the flap to be released in its entirety from the mud flap support clip when flexing of the bifurcated end portions of the clip takes place caused by a downward pulling force applied to the mud flap. Such an arrangement is characterized by its practicality and ease of use on trucks and other motor vehicles.

The patent to Moore, et al is directed to a relatively complicated spring-urged clamp mechanism connected to a vehicle rearward support that grips an enlarged upper edge portion of a mud flap. Downwardly directed stress impressed on the depending portion of the mud flap is operable to open the clamp means to release the mud flap.

There is no teaching or suggestion whatsoever in Moore, et al of the recited mud flap support clip having clip segments,

each of which has a bifurcated end portion defining a slot, the bifurcated end portions also forming a detent below a predetermined slot location for frictionally engaging and supporting a flap securement member extending across a space between the clip segments. Release of the mud flap is accomplished simply and readily by flexing of the bifurcated end portions of the clip, a simple, inexpensive and elegant approach to allowing release of the mud flap in its entirety when downward force is applied thereto. Reattachment of the mud flap is just as simple. This must be compared to the arrangement of Moore, et al wherein the relatively complicated separate spring biased clamping structure can easily be rendered unreliable or inoperable by mud and other road debris and by weather conditions creating ice and snow build-up, for example.

Claims 2 - 5 depend from Claim 1 and thus incorporate by reference all of the novel structure and cooperative relationships set forth in Claim 1 (currently amended).

Claim 6 has also been substantially amended to recite applicant's invention with greater particularity and to more clearly patentably define over the art of record, whether taken alone or in combination. Claim 6 is directed to a unique form of mud flap support clip of unitary construction. The clip includes a central clip portion and two clip segments extending downwardly from the central clip portion and disposed side-by-side to define

a space therebetween for receiving the top portion of a mud flap.

Each of the clip segments has a bifurcated end portion with a distal end and defining an upwardly extending, variable width slot communicating with the space and open at the lower end thereof. The slots of the clip segments receive a mud flap securement member having a shaft of predetermined diameter at a predetermined slot location. The slot narrows below the predetermined slot location to a width less than the predetermined diameter of the shaft of the mud flap securement member, with the bifurcated end portions forming detents below the predetermined slot location to frictionally engage and releasably support the shaft of the mud flap securement member.

Claim 6 further recites that the bifurcated end portions are flexible whereby a downward pulling force applied to a mud flap supported by the mud flap support clip will cause flexing of the bifurcated end portions by the mud flap securement member and release of the mud flap in its entirety from the mud flap support clip and passage of the shaft out of the space and out of the slots through the openings at the lower ends of the slots.

As with Claim 1 (currently amended), there is no teaching or suggestion whatsoever in either Miller or Moore, et al of the structural combination and claimed relationships set forth in Claim 6 (currently amended). The remarks of applicants

set forth above with respect to Claim 1 are applicable with respect to Claim 6 also.

Claims 7 and 8 depend from Claim 6 and incorporate by reference all of the structural elements set forth therein. Claims 6 - 8 are believed to be clearly allowable along with Claims 1 - 5 and 13.

Passage of this case to issue is believed to be in order and such action is earnestly solicited.

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